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LETTER DATED 2 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement issued on 2 September 1998 by the Presidency of the European Union on Guinea-Bissau (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Ernst SUCHARIPA
Permanent Representative of Austria
to the United Nations

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Annex

[Original: English and French]

Statement on Guinea-Bissau by the Presidency of the European Union issued on 2 September 1998

The European Union welcomes the agreement reached on 26 August in Praia, Cape Verde, between the Government of Guinea-Bissau and the self-appointed military junta, transforming the previous truce into a ceasefire. The agreement constitutes a very positive step towards a negotiated solution to the conflict in that country. The European Union therefore urges both parties to abide by it.

The Union welcomes in particular the decision to open Bissau Airport in order to secure the viability of humanitarian aid as well as the return of the refugees and displaced persons. Noteworthy also is the recognition by both parties of the democratic institutions and legality.

The European Union commends the mediation efforts led jointly by the Contact Group of the Community of Portuguese-speaking Countries (CPLP) and the Economic Community of West African States (ECOWAS), hoping that a lasting solution to the conflict in Guinea-Bissau can be reached in subsequent negotiations.

The Central and Eastern European countries and Cyprus associated with the European Union and the European Free Trade Association countries, members of the European Economic Area align themselves with the present statement.

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REPORT OF THE SECRETARY-GENERAL PREPARED PURSUANT TO RESOLUTION 1160 (1998) OF THE SECURITY COUNCIL

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1160 (1998) of 31 March 1998. It covers the period since my last report, of 5 August 1998 (S/1998/712).

II. SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 1160 (1998)

2. As at 31 August 1998, in addition to those States listed in my earlier reports (S/1998/608 and S/1998/712), Albania, Chile, Croatia and the Republic of Korea reported to the Committee established pursuant to paragraph 12 of resolution 1160 (1998) on the steps they had taken to give effect to the prohibitions imposed by that resolution.

3. In a letter dated 18 August, the Permanent Representative of Austria to the United Nations, in his capacity as the representative of the Presidency of the European Union, transmitted to the Chairman of the Committee the first monthly report of the European Community Monitoring Mission containing observations on violations of Security Council resolution 1160 (1998). The report covered the Mission's activities in July and early August and was submitted in accordance with the European Union's earlier pledge to contribute to international efforts to monitor the embargo and to report to the Committee any relevant information. The Mission has instructed its regional centres in Tirana, Belgrade and Skopje, as well as its coordination centres in Pristina and Podgorica, to be particularly alert to the possibility of weapons transfers from their respective areas of responsibility into the Federal Republic of Yugoslavia.

4. At its 3rd meeting, held on 19 August 1998, the Committee decided, inter alia, to renew its appeal of 7 May 1998 to all States, international organizations and regional organizations to provide information on violations or suspected violations of the prohibitions imposed by Security Council resolution 1160 (1998). That appeal was issued on 26 August 1998 by the Chairman of the Committee, Mr. Celso L. N. Amorim (Brazil), on behalf of the Committee (SC/6564).

5. In my previous report (S/1998/712), I submitted, in accordance with paragraph 15 of Security Council resolution 1160 (1998), my observations and recommendations for the establishment of a comprehensive regime to monitor the implementation of the prohibitions imposed in paragraph 8 of the resolution. If the Council concurs with the suggested arrangements, I will proceed accordingly.

III. SITUATION IN KOSOVO

6. Continued international efforts to facilitate a political solution to the Kosovo crisis have had limited results. As the Security Council is aware, the situation in Kosovo remains volatile. In mid-July and early August, heavy fighting occurred in the towns of Orahovac and Malisevo, as well as in the Suva Reka and Stimlje areas. By mid-August, fierce fighting was raging in the western parts of Djakovica, Decani and Pec. Towards the end of August, fighting continued in several areas: west of Pec in Rugovska Klisura area, along the Stimlje-Suva Reka road, on the Komorane-Kijevo stretch of the Pristina-Pec Road and near the Pristina airport. Although the scale of fighting between the security forces of the Federal Republic of Yugoslavia and the Kosovo Liberation Army (KLA) has decreased, and the Government has announced that life is returning to normal, it is evident that the conflict continues and any prediction of its end would be premature. The negotiating process has not been renewed and tensions along the border between the Federal Republic of Yugoslavia and Albania have been evident.

Humanitarian concerns

7. An estimated 600 to 700 civilians have been killed in the fighting in Kosovo since March. The conflict has resulted in the estimated cumulative displacement of over 230,000 persons. This is a nearly tenfold increase compared to the figure of 25,000 persons estimated by the Office of the United Nations High Commissioner for Refugees (UNHCR) to have been displaced during the first four months of 1998. The vast majority of those currently displaced by the conflict are within Kosovo (170,000). Others have moved to locations in Montenegro (33,500) and Serbia (20,000). Some 14,000 refugees are currently in Albania. Deserted towns and villages, as well as destroyed houses, slaughtered livestock and burned fields, bear witness to the scale of displacement and destruction in Kosovo. However, it has not always been possible fully to gauge the level of population movement inside Kosovo, owing to the increasingly insecure environment, impediments to access and the fluidity of the population movements. Thousands of civilians are constantly in flight to escape attacks by government forces.

8. According to UNHCR estimates, there could be up to 50,000 displaced people in Kosovo who have been forced from their homes into the woods and mountains. These people are the most vulnerable and are in need of urgent help. Despite assurances from the authorities, access is hindered, and the immediate priority of the humanitarian agencies is to find these groups and to deliver essential relief. It is clear that if these people remain in their current locations over the winter, they will be at serious risk of death. It remains a priority to assist them to return to their homes, or to move them to host families, or, as a

last resort, into collective centres where assistance can be more reliably provided.

9. The authorities of the Federal Republic of Yugoslavia have committed themselves to the creation of conditions for the return of refugees and displaced persons to their homes in Kosovo. The reality on the ground, however, is that inadequate security conditions and the continued destruction of homes are making return to many areas virtually impossible. There are disturbing reports that some returnees, mostly young men, were taken by police for "informative talks". In some cases, the police have prevented returnees from harvesting crops. The Assistant High Commissioner for Refugees, Mr. Soren Jessen-Petersen, who visited the area from 18 to 22 August, reported one instance when the police, occupying the house of the potential returnee, vandalized it and did not allow the owner to move back in. Such practices, as well as any potential attempts to change the ethnic balance in Kosovo, are unacceptable. I am also concerned by unconfirmed reports that some Kosovo Albanian groups, in pursuit of their political interests, may be blocking the return process in order to prolong the humanitarian crisis and maintain international attention on Kosovo.

10. In order to expedite the return process and to facilitate political progress on the Kosovo issue, there is a critical need to promote confidence-building measures between the parties in conflict. As most refugees and internally displaced persons have no trust in the willingness or ability of the Serbian or federal authorities to protect them, all necessary measures should be taken to bridge the confidence gap. In this connection, UNHCR strongly argues the urgent need to strengthen the international presence in Kosovo. The government authorities in the Federal Republic of Yugoslavia, who bear primary responsibility for the well-being and security of all its citizens, should unambiguously commit themselves to guaranteeing the safety of those returnees not proved to have participated in terrorist activities. The authorities must undertake to prosecute any member of the security forces involved in the mistreatment of innocent civilians. Another important factor is that many internally displaced persons have no place to go, since a significant number of houses have been destroyed or burned. The authorities must bring to justice all those involved in the deliberate destruction of property. They must also make every effort to provide assistance for the reconstruction of damaged and destroyed homes.

11. A prolongation of the Government's present policies is likely to result in further displacement of the wider population. This is particularly worrying because of the approaching winter, which could transform what is currently a humanitarian crisis into a humanitarian catastrophe. It is likely that most of the displacement will continue to be concentrated within Kosovo itself, although an increasing number of those displaced appear to be electing to move to other areas within the Federal Republic of Yugoslavia (Montenegro in particular) and abroad.

12. At the beginning of 1998, there were 1,800 refugees from Croatia and Bosnia and Herzegovina housed in 28 collective centres in Kosovo. UNHCR has requested the federal authorities to transfer the refugees to safe locations outside the conflict areas, but this has not yet been done. Regular visits to the

collective centres reveal that the numbers of refugees therein have dropped, as most refugees with the health and means to do so have made their own way out; their present location and condition are unknown. The options of voluntary repatriation and resettlement are being pursued. So far some 600 are being assisted to return to Croatia at their request. Interest in repatriation, especially among the elderly, is increasing and it is expected that the number of requests for return will grow in the near future. More than 1,000 refugees have now requested resettlement abroad.

13. In response to the crisis, the humanitarian agencies continue to identify the location and needs of the displaced, to provide protection when possible, and to deliver assistance from available resources. At the time of writing, the municipalities in Kosovo affected by the conflict include Decane, Djakovica, Glogovac, Istok, Klina, Lipljan, Orahovac, Pec, Srbica, Stimlje and Suva Reka. Most of the displaced within Kosovo are staying within these areas, though some have moved to other municipalities. Populations in other areas, while not directly involved in the fighting, are increasingly affected by the conflict. Many have little or no access to food supplies, as stocks in shops have, for the most part, not been replenished, and medical facilities face major supply problems. Livestock has been lost or slaughtered, crops lie unharvested in the fields, and fodder is scarce, rendered inaccessible or destroyed. It is feared that many wounded in the conflict areas have no access to medical services.

14. The most worrying problem in Montenegro is the impact of internally displaced persons on the demographic balance and the high burden they place on that Republic of the Federal Republic of Yugoslavia, since they already represent more than 10 per cent of its population. In Montenegro, UNHCR is increasing its budget to cope with the needs of new arrivals from Kosovo. The focus in the short term is on assisting the most vulnerable host families and to winterize public buildings used to shelter the internally displaced. A similar approach is required in northern Albania, although in the medium term those refugees willing to go there should be relocated to the south in order to decongest Bajram Curri and to move the refugees away from the area, which has become a KLA base. The security situation has become a major concern for the humanitarian agencies in northern Albania.

Human rights

15. The human rights situation in Kosovo has been marked by widespread violations. Acting under the mandates of the United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, the Office of the United Nations High Commissioner for Human Rights is engaged in monitoring and reporting on the human rights situation in the whole of the Federal Republic of Yugoslavia. The Office of the High Commissioner opened its office in Belgrade in March 1996 and has in addition maintained a continuous monitoring presence in Pristina since March 1998.

16. The Office of the High Commissioner has received increasing reports of persons being arbitrarily arrested for questioning and kept in pre-trial detention for periods well beyond the legal time limit. It has registered more than 200 persons who are reported to be in police detention, and another 200 or

more are reported by various sources as "missing". Some persons are believed to be in unacknowledged detention. While most of these people have been arrested in connection with police operations in the field, there is a growing number of cases in which Kosovo Albanian political activists, lawyers, humanitarian workers and medical personnel are being arrested and interrogated by the police. The Office of the High Commissioner has been informed that detainees have recently been transferred to Belgrade from prisons in Kosovo. Lawyers and family members say that they encounter serious problems in obtaining permission to see those detained. Lawyers have reportedly been prevented from speaking with their clients in private for longer than five minutes and have not been allowed by the police to speak with their clients in the Albanian language. There are many reports of torture and ill-treatment during pre-trial detention, including at least four alleged cases of death in custody. The Office of the High Commissioner has on several occasions written to the Serbian Ministry of the Interior inquiring about cases brought to its attention. In Kosovo, the Office is monitoring trials of persons charged with crimes against the state, including "terrorism". Some defendants have reportedly been tortured while under interrogation. In these politically sensitive trials there are serious concerns regarding the independence of the courts and defendants' access to legal counsel.

17. Also a serious cause for concern are reports that a number of Serb, Kosovo Albanian and Roma civilians, as well as Serbian police officers, have been abducted since early April by armed Kosovo Albanians, believed to be KLA members. The Office of the High Commissioner has interviewed relatives and family members of abductees as well as eyewitnesses to abductions. The Yugoslav authorities have indicated that more than 179 civilians and police were abducted since the beginning of the conflict. On 26 and 27 August, in Klecka, 22 persons believed to be abductees reportedly were killed and their bodies burned in a makeshift crematorium. The precise number of victims and the circumstances of their death are being investigated. International monitors have also visited the site.

IV. HUMANITARIAN ACTIVITIES

18. The provision of humanitarian assistance is of great urgency, particularly with the onset of the harsh winter months in the Balkans. In cooperation with the International Committee of the Red Cross, international non-governmental organizations and local organizations, United Nations agencies are attempting to deal with the crisis in the face of difficult conditions and limited funding. Within Kosovo, UNHCR has been escorting multi-agency convoys to deliver humanitarian assistance to internally displaced persons; the first priority in this regard has been to help those living in the open, who are, unfortunately, the most difficult to reach.

19. Given the growing crisis in Kosovo and the commensurate increase in humanitarian needs, the international humanitarian assistance programme has become an indispensable factor in ensuring the provision of efficacious and cost-effective relief assistance at the local, national and regional level. UNHCR continues to act as the focal point for inter-agency coordination on issues pertaining to the crisis in Kosovo. Capacity for inter-agency and

interregional information flow and coordination continues to be undertaken by UNHCR with support from the Office for the Coordination of Humanitarian Affairs. A purpose of the recent visit to Kosovo by the Assistant High Commissioner for Refugees was to assess the humanitarian situation on the ground, including issues of access, security and other operational concerns and constraints.

20. Pursuant to its mandated role as lead agency in the region, UNHCR maintains close liaison with representatives of the Government of the Federal Republic of Yugoslavia as well as with members of the Kosovo Albanian community and the respective Red Cross Societies to share relevant information on population movements and assistance needs. In this connection, it is worth noting that UNHCR has worked out a division of labour for humanitarian assistance in Kosovo. It also liaises with the diplomatic community and human rights organizations in Belgrade, Pristina and Montenegro as well as with the Kosovo Diplomatic Observer Mission, the European Community Monitoring Mission and relevant diplomatic missions. Regular briefings are provided on current developments and the monitoring of the safety of displaced persons and refugees.

21. The military operations and civil strife of the past months, resulting in the mass displacement of civilian populations, coupled with the disruption of trade and the failure to harvest crops, have also worsened the food security situation of internally displaced persons and other affected populations. The World Food Programme's intervention in the food sector has been designed to prevent hunger and malnutrition among refugees and displaced persons, as well as among affected populations in conflict areas. UNHCR has a small provision in its budget to cover special dietary food requirements and supplementary food, to assist the most needy during the winter months of 1998 especially. A number of non-governmental organizations and the International Committee of the Red Cross/ International Federation of Red Cross Societies have funding to provide food assistance to the affected population in Kosovo as well as to internally displaced persons in Kosovo and Montenegro.

22. In the non-food sector, UNHCR provides such items as blankets, mattresses, hygienic items, heating/cooking stoves and firewood, with special emphasis on the needs of women and children. Winter clothing will be essential in the coming months. UNHCR will make clothing and footwear available from its stocks in the region; non-governmental organizations are expected to supply substantial quantities of clothing and footwear. The United Nations Children's Fund (UNICEF) will complement the activities of UNHCR and its partners through the provision of children's garments, basic household supplies and essential hygiene items required by displaced children and women. These supplies will improve the general health status of the internally displaced persons and help to prevent the outbreak of water-borne and food-borne diseases, lice infestation and other conditions related to living in deprived circumstances.

23. The conflict and population displacement in Kosovo has led to a shortage of essential drugs and to the collapse of basic health services. Children in temporary and inadequate shelter are at risk from common diseases and there is a serious threat of a measles epidemic in the coming months. The World Health Organization (WHO) maintains a coordination role in the public health sector and provides technical guidance to agencies involved in this sector. Activities include the procurement of emergency water supply and chlorination systems, the

establishment or improvement of sanitary facilities, the improvement of the emergency health surveillance system and its management, and the strengthening of the management of drugs donations and distribution. Preventive health-care activities, in particular immunization programmes and prenatal care, will be undertaken to compensate for local services which have been severely curtailed because of shortages of trained staff and essential medical supplies. In addition to the activities of WHO, UNICEF will continue to provide special paediatric essential drug kits, together with guidelines for health workers on their use. UNICEF also promotes community health and hygiene education, sound infant-feeding practices and, in collaboration with WHO, assists in the monitoring of the general health and nutritional status of the affected population. Building on the work which began in April this year, UNICEF will seek to re-establish the network of trained care providers in Kosovo, in order to provide trauma screening and psycho-social support for children and families seriously affected by the violence and conflict. WHO continues its activities of psycho-social emergency assistance to the internally displaced persons in Montenegro.

24. Accommodation is one of the major concerns in relation to the well-being of internally displaced persons and affected populations. UNHCR will provide material for emergency repairs; more substantial repairs can be carried out only once relative peace has been restored, and it is hoped that reconstruction may be possible immediately after the 1998/1999 winter. In Montenegro, where a different type of shelter assistance is required, some basic repair and maintenance of the collective centres is foreseen. Assistance will also be provided to host families in an effort to support them and encourage them to continue to extend their hospitality, as resources have already started to dwindle. However, if fighting continues in Kosovo and it is impossible for those now living outside to reach their homes, they may seek to reach Montenegro. This would necessitate the urgent provision of greater resources for collective accommodation.

25. The current conflict has taken a serious toll on education services in Kosovo. UNICEF plans to assist up to 100,000 internally displaced children in Kosovo and other parts of Serbia and up to 20,000 internally displaced children in Montenegro, so that they can start school promptly in September. In Montenegro, UNICEF will concentrate its assistance on providing necessary school materials and basic textbooks for the start of the new school year, and on providing teacher training. In areas of Kosovo with a high influx of internally displaced persons, existing schools will not have the capacity to provide classroom space for all children and alternative arrangements will have to be made. Finally, as a precautionary measure, UNICEF will prepare and print a teachers' manual and posters for use in mine awareness education in primary schools in certain parts of Kosovo. UNHCR will support UNICEF activities and will, in consultation with the Government of Montenegro, provide assistance to carry out sanitation and rehabilitation work at school buildings in Montenegro to increase their capacity. Activities in this sector in Kosovo will depend on the local situation but are expected to be limited at this stage. Working with the legal community and non-governmental organizations, the Office of the United Nations High Commissioner for Human Rights is attempting to produce educational materials that link international human rights standards with domestic law and procedures, particularly in the area of police and judicial procedures. In

August, the Office began its first small grants programme for communities and organizations involved in human rights education.

26. Humanitarian agencies can continue to operate only in areas where security conditions permit and access is granted by the relevant authorities. Although access has generally improved, insecurity resulting from fighting often prevents or delays the delivery of aid. In recent weeks, the incidence of cases of restriction of movement and denial of access for humanitarian agencies to certain areas, detention of relief personnel and attacks on relief workers has increased. On 25 August, three relief workers of a local non-governmental organization, the Mother Theresa Society, were killed under fire in a Serbian offensive. In late August, a UNHCR driver of ethnic Serb background was threatened by a KLA member at a KLA checkpoint near Pagarusa while escorting a humanitarian convoy. Humanitarian aid workers must cross numerous checkpoints established by both the police and KLA, often one after another; sometimes relief workers are sandwiched between two checkpoints as neither group will allow them to pass through. Reports of landmines also give cause for concern. While guarantees of access have been given, the security and safety of aid workers remains a real issue and must be addressed by the parties.

27. The most disappointing problem is a lack of resources. Three humanitarian convoys per week do not meet the needs of the affected people. An extension of the United Nations Consolidated Inter-agency Appeal for Humanitarian Assistance Related to the Crisis in Kosovo will be launched by UNHCR and the Office for the Coordination of Humanitarian Affairs in September. It is vital that the international community responds generously to this new appeal so that United Nations agencies may meet the expanding emergency humanitarian needs. The support of donors is critical to enhance the response capacity of agencies participating in this appeal, and to allow them to do their utmost to alleviate the human suffering caused by the conflict in Kosovo.

V. OBSERVATIONS

28. I am alarmed by the lack of progress towards a political settlement in Kosovo and by the further loss of life, displacement of civilian population and destruction of property resulting from the ongoing conflict. It is essential that negotiations get under way so as to break the cycle of disproportionate use of force by the Serbian forces and acts of violence by the Kosovo Albanian paramilitary units by promoting a political resolution of the conflict. On 1 September, I wrote to President Milosevic to underline my alarm at the excessive use of force by Serbian military and police forces, noting that Kosovo Albanian extremists also bear responsibility for their acts of provocation. Persistent tensions on the border between the Federal Republic of Yugoslavia and Albania, including reports of border violations and cross-border shelling, are a further cause of serious concern. As I have indicated, this escalation of tensions risks detrimental consequences for the stability in the region. In this regard, I wish to reiterate the concern, expressed in my previous report, that United Nations operations in the region could be negatively affected by developments in Kosovo.

29. I continue to believe strongly that there can be no military solution for the crisis. I urge both parties to demonstrate restraint and to start the negotiating process as soon as possible. Efforts by the Contact Group, regional organizations and individual States to put an end to the violence and to create appropriate conditions for a political settlement of the conflict have my full support. For my part, I remain prepared to contribute to these efforts through all resources available to me.

30. As I have outlined above, recent clashes in Kosovo have led to further displacement of civilian population which have borne the brunt of the fighting since March 1998. I urge parties in the Federal Republic of Yugoslavia to assure unhindered humanitarian access to all affected areas and to ensure the security of the relief personnel. I call also on international humanitarian organizations to intensify their efforts to provide relief to Kosovo's population. To achieve this, the international community must support these efforts by providing urgently the necessary resources for assistance in Kosovo, in order to prevent a major humanitarian disaster in the region.

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REPORT OF THE SECRETARY-GENERAL PREPARED PURSUANT TO RESOLUTION 1160 (1998) OF THE SECURITY COUNCIL

Addendum

Annex

Information on the situation in Kosovo and measures taken by the Organization for Security and Cooperation in Europe, submitted pursuant to paragraphs 13 and 16 of Security Council resolution 1160 (1998)

General situation

1. The past four weeks have been characterized by a sharp escalation of military operations in Kosovo, as a result of an offensive launched by the Serb forces against armed groups of Kosovo Albanians in the central, southern and western regions of the province. A number of armed clashes have also been reported along the Albanian-Yugoslav border.

2. In August, the Serb forces went on the offensive after the Kosovo Liberation Army (KLA) seized control of a part of Kosovo in July. The Serb army regained control of the principal roads of Kosovo and captured a number of towns previously viewed as KLA strongholds. Many KLA fighters discarded their weapons and escaped to Albania.

3. Continued efforts of the international community aimed at a cessation of the hostilities and for resumption of the dialogue between Belgrade and Pristina have not resulted in any breakthrough. In early August, a document of the Contact Group, featuring options for a future status of Kosovo, was transmitted to the two belligerents. No binding opinions in respect of the said proposals have so far been forwarded by either of the opposing parties.

4. Although the invitation of the authorities of the Federal Republic of Yugoslavia to start the negotiations over the future status of the Kosovo province have been submitted to the Albanian leaders in Kosovo, no substantial talks have begun, mainly because of the continuing military offensive in Kosovo.

5. Militants of KLA continue to operate in some towns and villages. Many cross the border into and out of Kosovo, with recent evidence pointing to substantial numbers withdrawing into Albania.

Situation of the civilian population

6. The hostilities triggered a dramatic exodus of the civilian population from Kosovo. According to statistics of the Office of the United Nations High Commissioner for Refugees (UNHCR), the number of refugees and displaced persons in the province amounts to 230,000 people, 60,000 of whom have chosen to leave Kosovo. Under considerable pressure brought to bear by the international community, the Serb authorities have taken action to attract the refugees back to their permanent places of residence, offering them material aid. However, this has elicited a tepid response from the Albanian population, which is suspicious of Serb guarantees. Humanitarian aid deliveries to Kosovo have so far been unequal to the situation on the ground.

Political scene in Pristina

7. The international community has been making efforts to talk the Kosovo Albanians into setting up a joint negotiating team, complete with a common agenda for talks with Belgrade. The first negotiating team, originally established by Dr. I. Rugova no longer exists, having decided to disband. The new one does not include representatives of KLA, which decided to establish the so-called political wing.

International presence in Kosovo

8. The Kosovo Diplomatic Observer Mission, made up of several representatives from the United States of America, the Russian Federation and the European Union, and permanently posted in Kosovo, runs several score patrol missions weekly in the province's trouble spots. It submits reports on these missions. Kosovo has also been toured on a regular basis by diplomats from other Belgrade-based embassies, as well as politicians and diplomates on visits to the Federal Republic of Yugoslavia, such as the United States President's envoy, Mr. Charles Hill, the Russian Deputy Minister for Foreign Affairs, Mr. N. Afanasyevski, the political directors of the German and French Ministries of Foreign Affairs, and the OSCE mission, run by Mr. H. Eiff, and falling into the latter category.

Organization for Security and Cooperation in Europe analysis of the spillover potential of the Kosovo conflict

9. The strip of land along the Yugoslav/Albanian border has continued to be a scene of armed clashes between the Serb army and police forces and armed Albanians attempting to establish a two-way cross-border traffic.

10. Recent military activity has intensified, causing an ever-increasing number of internally displaced persons in Kosovo. The inflow of refugees into Albania has shown a sharp increase again, with thousands of new refugees registered in the past month. Unknown thousands are assumed to be roaming the forests awaiting help in the form of aid and assistance. Their passage to safety is

hampered by the threat of military action and the placing of mines along the border area by Federal Republic of Yugoslavia forces.

11. The refugees moving into Albania are facing many difficulties, especially with regard to finding accommodation. In the past, host families have come forward to assist, but this capacity is all but exhausted. The continued burden on the host families is starting to create resentment and rejection.

12. The continued violence across the border has again "spilled over" in the form of an increasing number of incidents of shooting, airspace violations, cross-border bushfires, etc. Generally, however, the forces on both sides are showing restraint and seem keen to avoid escalation.

13. The dangers of "spillover" from the current crisis in Kosovo onto Macedonian territory remain real and pressing, although hitherto, the effects have been contained. There are no officially registered refugees in the country from Kosovo, and observation of border traffic has not shown any unusual increase attributable to the deteriorating situation in Kosovo. Nor has there been any observable change in the pattern or activity in the days following Yugoslav security force operations on 9 August in villages south of Urosevac as close as 15 kilometres to the Macedonian border. Any worsening of the security situation in or around southern Kosovo towns, such as Urosevac or Kacanik, which have hitherto been relatively stable, could however be expected to put additional pressure on the Macedonian border.

14. Persistent reports of the laying of anti-personnel mines by Yugoslav security forces on their side of the border have disturbed the relative calm that has characterized the northern border in recent months. The Macedonian authorities have categorically denied that any mines have been laid on Macedonian territory.

15. Although there are no officially registered refugees from Kosovo, the smaller humanitarian organizations based in Skopje and the principal centres of the ethnic Albanian population have increasingly been reporting requests for assistance from Kosovars staying privately in the country with friends or relatives. Such individuals, for the most part, wish to return to Kosovo as soon as they judge it safe to do so, prefer to avoid officialdom, and are reluctant to approach the authorities with a formal request for asylum, wishing to keep their options open. The numbers of such people staying locally and asking for help are certain to grow if the Kosovo crisis continues to deteriorate. By their nature (they wish to remain out of public view), it is difficult to estimate their numbers, but currently it may be assumed that they amount to some hundreds.

16. In Bosnia and Herzegovina, there are anywhere between 3,000 to 6,000 Kosovo Albanian refugees. Their influx to the Federation of Bosnia and Herzegovina is approximately 50 per week. A small number (100-125) of Croatian Serb refugees in Kosovo are fleeing to the Republika Srpska. Resentment and animosity may result between Kosovo Albanian refugees, displaced persons in the Federation of Bosnia and Herzegovina and Bosnian refugee returnees to majority areas in the Federation of Bosnia and Herzegovina. It may also have repercussions beyond the

receiving entity. Recently, one political party in the Republika Srpska voiced criticism about Kosovo Albanian refugees being settled in pre-war Serb villages.

17. The Bosnian authorities have not considered this issue a priority. Pressure had to be applied by the Office of the United Nations High Commissioner for Human Rights and UNHCR in order for the relevant Bosnian and Federation of Bosnia and Herzegovina authorities to address the issue. A policy of non-refoulement and protection has been adopted. There is no doubt that Kosovo Albanian refugees in Bosnia and Herzegovina create social and economic strains, especially in the Federation of Bosnia and Herzegovina. If the number of Kosovo Albanian refugees increases significantly, political repercussions can be expected.

Measures taken by the Organization for Security and Cooperation in Europe

18. In his statement of 30 July, Professor B. Geremek, the Polish Minister for Foreign Affairs and the OSCE Chairman-in-Office strongly urged the cessation of hostilities and exploration of existing avenues of political dialogue. He expressed the view that such dialogue was a prerequisite for finding a solution to this dangerous conflict.

19. A second round of exploratory talks between OSCE and the Federal Republic of Yugoslavia was held on 4 August in Warsaw. The representative of the Chairman-in-Office, Ambassador Jerzy M. Nowak, headed the OSCE delegation, while the Federal Republic of Yugoslavia delegation was led by Assistant Foreign Minister Ambassador Branko Brankovič. The objective of the meeting was to continue the exploratory talks initiated in Belgrade on 3 July 1998, which preceded the OCSE technical assessment mission to the Federal Republic of Yugoslavia carried out from 14 to 22 July 1998, to facilitate the mission of Mr. Felipe González as Personal Representative of the Chairman-in-Office for the Federal Republic of Yugoslavia and to seek ways and means to begin a process of a comprehensive resolution to issues of relevance to relations between the Federal Republic of Yugoslavia and OSCE, including the return of the long-term missions, in particular to Kosovo, in accordance with Permanent Council decision No. 218 of 11 March 1998.

20. The OSCE delegation opened the meeting by expressing the Chairman-in-Office's deep concern over the continued violence in Kosovo. It further expressed disappointment with the lack of follow-up on promises made by President Milosević to the European Union Troika regarding the cessation of the use of force. Such development of events did not favour improvement of the relations between the Federal Republic of Yugoslavia and OSCE.

21. The Federal Republic of Yugoslavia delegation responded by reiterating its well-known positions. It stressed that the role of the police action in Kosovo was to restore law and order. Ambassador Brankovič said that the police would be able to do away with "terrorist elements" within a period of a few days.

22. The talks led to further clarification of positions between the Federal Republic of Yugoslavia and OSCE, but did not result in any breakthrough. The discussion focused on possible conditions, as well as ways and means, that should precede a decision on the participation of the Federal Republic of

Yugoslavia in OSCE, in the light of Permanent Council decision No. 218. The Yugoslav side has not demonstrated any flexibility in terms of accepting the OSCE requirements for the Federal Republic of Yugoslavia's membership in OSCE.

23. In a letter to the Minister for Foreign Affairs of the Federal Republic of Yugoslavia, Mr. Zivadin Jovanović, dated 6 August, Minister B. Geremek shared the view over the creation of appropriate conditions for dialogue, which should include cessation of hostilities and withdrawal of special police units. He stressed that the crisis in Kosovo could not be overcome by force. Mr. Geremek reiterated OSCE's readiness to assist in a peaceful resolution of the conflict in Kosovo within the framework of OSCE Permanent Council decision No. 218 of 11 March 1998, and on the basis of Conference on Security and Cooperation in Europe/OSCE principles and documents. He explained that this decision in practical terms meant, in particular, efforts to facilitate the missions of Mr. Felipe González (as Personal Representative of the Chairman-in-Office for Yugoslavia) and the re-establishment of the Long-term Missions in the Federal Republic of Yugoslavia. Minister Geremek stated that there were no signs of improvement and that the situation in Kosovo was deteriorating further, in particular, in the border region between the Federal Republic of Yugoslavia and Albania. The escalation of violence and bloodshed, from whichever side it came, was estimated by Minister Geremek to be both deplorable and inadmissible.

24. In response, Minister Z. Jovanović, in a letter dated 17 August, expressed his view over the humanitarian disaster, which in his opinion had resulted from actions taken by the "band of terrorists belonging to the so-called KLA". According to Jovanović's opinion, the refusal of the Albanians in Kosovo to cooperate with KLA had resulted in killings and kidnappings.

Summary and conclusions

25. Since the last days of July, the escalation of the conflict in Kosovo has reached a phase that can be surely described as an apogee of violence and may seriously affect the neighbouring States, burning fragile peace in the Balkans.

26. Advancing humanitarian disaster can foster destabilization in the region of conflict. Furthermore, the lack of credibility of the threat to use international forces caused the Federal Republic of Yugoslavia's continuation of the military offensive resulting in egregious humanitarian abuses in Kosovo.

27. The recent successes of the Serbian security forces in Kosovo seem to be short-lived and do nothing to address the fundamental source of instability there. The refusal of the Belgrade authorities to allow the Kosovo Albanians to play a meaningful role in governing their own affairs, and ongoing abuses of basic human rights are pushing member States of OSCE to accept any kind of solution to the conflict which will assure the end of violence and prevent a possible spillover of the conflict.

28. The Chairman-in-Office's assessment is that the only hope for a peaceful solution is an immediate cessation of the Serbian military offensive and

initiation of unconditional negotiations between the Federal Republic of Yugoslavia authorities and widely represented Albanians from Kosovo.

Chairman-in-Office of the Organization for
Security and Cooperation in Europe

Warsaw, 20 August 1998

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S/1998/835
4 September 1998

ORIGINAL: ENGLISH

LETTER DATED 4 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF JAPAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Under the instruction of my Government, I have the honour to bring to your attention the following facts relating to the act of the Democratic People's Republic of Korea.

On 31 August 1998, at 1207 hours local time, a two-stage ballistic missile was launched from the Taepo-Dong area near the eastern coast of the Democratic People's Republic of Korea. It is highly probable that the first stage of this missile fell into the sea without reaching Japan, while the second stage flew over the territory of Japan and hit the sea in the Pacific Ocean off the coast of Sanriku in north-eastern Japan, with its warhead landing farther off the coast of Sanriku.

The Government of Japan considers that this act of the Democratic People's Republic of Korea directly affects the security of Japan and the peace and stability of the entire north-east Asian region. Furthermore, it raises a serious concern about the proliferation of weapons of mass destruction and their delivery systems.

It should also be pointed out that the Democratic People's Republic of Korea launched this missile without prior warning and that the missile landed in the vicinity of frequently used sea lanes. The Government of Japan considers that this action is in disregard of the norms of international law relating to the use of the high seas. Under existing rules of international law, the freedom of the high seas shall be exercised by all States with due regard for the interests of other States in their exercise of the freedom of the high seas. In addition, in launching the missile without prior warning in the vicinity of frequently used air space and sea lanes, the Democratic People's Republic of Korea ignored the fundamental principles of the Convention on International Civil Aviation and of the Convention on the International Maritime Organization to which it is a party.

The Government of Japan has lodged its strong protest with the Democratic People's Republic of Korea, but it has not as yet received any direct response from its authorities.

The Government of Japan wishes to place on record its view that maintenance of the international regime on the non-proliferation of weapons of mass destruction including their delivery systems is essential to the maintenance of international peace and security. In this context, the attention of the Security Council is invited to its presidential statement of 31 January 1992 (S/23500), on the responsibility of the Security Council in the maintenance of international peace and security. The statement declares that the proliferation of all weapons of mass destruction constitutes a threat to international peace and security.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hisashi OWADA
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the United Nations

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Security Council

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S/1998/836
8 September 1998

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE DEPUTY REPRESENTATIVE OF THE RUSSIAN FEDERATION ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 3 September 1998 from the Permanent Mission of the Russian Federation to the United Nations, stating that Mr. Andrey E. Granovsky has been appointed deputy representative of the Russian Federation on the Security Council.

In the opinion of the Secretary-General, this communication constitutes adequate provisional credentials.

98-26166 (E) 080998

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S/1998/837
8 September 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 7 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a letter dated 7 September 1998 from Mr. Tariq Aziz, Deputy Prime Minister of the Republic of Iraq, giving Iraq's comments on the report given by the Executive Chairman of the Special Commission to the Security Council on 3 September 1998 and on the letter dated 2 September 1998 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council concerning the current situation of the monitoring regime following Iraq's decision of 5 August 1998.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

98-26100 (E) 080998 080998

Annex

Letter dated 7 September 1998 from the Deputy Prime Minister of Iraq addressed to the President of the Security Council

I should here like to present our comments on the report given to the Security Council by the Executive Chairman of the Special Commission on 3 September 1998 and on the letter dated 2 September 1998 from the Director General of the International Atomic Energy Agency (IAEA) concerning the current situation of the monitoring regime following Iraq's decision of 5 August 1998.

I. Report of the Executive Chairman of the Special Commission

The report given by the Executive Chairman of the Special Commission contained, as usual, sophistries and lies that had the objective of distorting the facts before the Council.

1. Sites subject to monitoring

The sites covered by the plan for ongoing monitoring under resolution 715 (1991) were not designated by Iraq, as is claimed by the Executive Chairman, but by the Special Commission. In the course of the high-level talks held in New York in September 1993, the Special Commission, adopting a broad and extreme approach, designated the sites to be covered by ongoing monitoring in the missile, biological, chemical and nuclear areas as well as many other sites that bore no relation to past programmes. The Commission classified those sites as follows: core sites; supporting sites; and secondary sites.

After Iraq officially accepted resolution 715 (1991) in November 1993, the Special Commission requested its cooperation in preparing what it called protocols concerning each site to be monitored by the Special Commission. Iraq prepared drafts of such protocols and submitted proposals to the Special Commission on the form they should take, and it proposed modalities for the monitoring of the core sites. These proposals were accepted by the Special Commission, and it commended them in its April 1994 report.

The Special Commission did not content itself with Iraq's declarations concerning the sites subject to monitoring but endeavoured to dispatch what it called "baseline inspection teams" in order to verify the Iraqi declarations and identify new sites for monitoring. These baseline inspections took six whole months and, in all, the Special Commission dispatched 16 such teams. The Special Commission also made alterations to the technical annexes to the monitoring plans approved by resolution 715 (1991), with the result that other sites became subject to monitoring that had not been mentioned in the original annexes.

In August 1994, the Special Commission acknowledged that the monitoring system was in place and was functioning effectively.

The monitoring system currently covers 496 sites in all parts of Iraq, and there are more than 70 other sites that are constantly visited by the export/import monitoring group. Twenty-two sites are monitored by cameras. The Special Commission and IAEA also use tags and seals, and there are 2,151 of them on machines and items of equipment and 9,026 on missiles. Dozens of miscellaneous sensors are also deployed at many sites, and the relevant monitoring groups carry out unannounced inspection visits at a rate of 10 to 15 a day. Helicopters are used for aerial reconnaissance of various areas in Iraq on an almost daily basis. For your information, the numbers of sites subject to monitoring in each area of activity are as follows:

40 in the missile area;

119 in the chemical area;

175 in the biological area (including 80 general hospitals);

162 in the nuclear area.

Accordingly, the claim that there are other sites that are required to be visited and inspected under the monitoring plan is groundless. It is tendentious propaganda of a kind that is politically motivated and engages in overstatement and exaggeration for political reasons.

2. Incidents raised by the Executive Chairman in his briefing to the Security Council on 3 September 1998

(a) The account given in paragraph 9 of the notes for Mr. Butler's briefing to the Security Council on 3 September 1998 is sophistical, is an attempt to mislead the Council and represents a fabrication against the Iraqi side. The true state of affairs is set forth hereunder.

The flight test of the Samoud missile on 11 August 1998 was being videotaped by the MG-18 missile monitoring group, in whose presence it was being carried out. When preparations for launch had been completed and the missile had been placed on the launcher, the group sought to approach the missile and photograph it before launching and while still on the launcher. They were allowed to do so. When this was over, a member of the group asked to photograph a theodolite, a general-purpose instrument used in surveying land that was being used to ascertain that the missile had been raised to a vertical position and to verify the presentation of the missile while being raised onto the launcher. The representative of the National Monitoring Directorate (NMD) objected to this because the instrument in question has nothing to do with determining the range of a missile, as claimed by Butler in his briefing, and is not among the technologies to which reference is made in annex IV to the monitoring plan approved by resolution 715 (1991). None of the members of the MG-18 group objected to this.

(b) The incident mentioned in paragraph 10 of the briefing notes concerns a request from the MG-18 missile monitoring group to the NMD on 16 August 1998 to be allowed to visit a military workshop inside a camp that is not covered by the monitoring regime. The group's allegation that the facility was a workshop and

that it contained equipment was untrue, and there is no such workshop in the camp to which reference is made in the notes. We stated as much to the missile monitoring group at the time.

(c) Paragraph 11 of the briefing notes concerns a request, also from the MG-18 missile monitoring group, for access to inspect a military site that is not subject to monitoring. The rationale for the request was the presence at the site of tagged missile components, although there is a mechanism for the monitoring of such tagged parts or missiles on which agreement was reached in 1993 and which has been in effect ever since. This mechanism consists, briefly, in the Special Commission providing the Iraqi counterpart with the numbers assigned to tagged missiles or components and the numbers assigned to the tags that it wishes to scrutinize in order to ascertain that no modifications or improvements have been made. Under this mechanism, the Iraqi side presents and displays the components or missiles in question at locations of its own choosing. This procedure is currently in effect and there is presently in Iraq a special team for this kind of activity, designated MG-18A, which arrived in the country on 1 September 1998.

It is clear from the foregoing that the statement made by the Executive Chairman in his briefing to the Security Council to the effect that Iraq has restricted the Special Commission to inspecting only sites previously declared by Iraq is absolutely untrue. Iraq informed the Special Commission on 5 August that the Special Commission had the right to inspect the sites subject to monitoring under resolution 715 (1991), not those declared by Iraq (see attachment).

II. Letter of the Director General of IAEA

1. Cooperation with IAEA is still continuing in an effective and normal manner in the field of ongoing monitoring. What have indeed been suspended are the activities relating to disarmament that the Agency stated it had completed, fully and in a comprehensive manner, in paragraph 72 of document S/1997/779 of 8 October 1997.

2. IAEA is currently engaged in inspection activities at 162 sites (State establishments, factories, universities and institutes, oil-related sites and hospitals) in full cooperation with the Iraqi side. It should be noted that most of these sites bear no relation to nuclear activities.

3. The Agency is also currently engaged, in an ongoing manner and on an almost daily basis, in conducting an environmental radiometric survey of all industrial establishments as well as of all the neighbourhoods and streets of Baghdad and of the other governorates throughout Iraq in order to verify the absence of all nuclear activity.

4. The Agency is currently implementing an environmental monitoring programme. It has installed two air-sampling systems in Baghdad and has designated six more sites for the installation of such systems, and the Iraqi side is providing all the facilities required for the operation of these systems.

Accordingly, the plan for ongoing monitoring and verification is currently operating in an effective manner and on a wide scale. The ongoing monitoring and verification activities undertaken by the Agency between 5 August and 5 September 1998 consisted of 36 inspection visits and 21 radiation surveys. Any allegation that implementation of the plan for ongoing monitoring and verification is being restricted is untrue or inaccurate. To establish this fact, reference can be made to the figures for and frequency of the inspection activities presently under way and to the inspection activities carried out by the Agency in years past and during the aforesaid period.

(Signed) Tariq AZIZ
Deputy Prime Minister